

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SEYMOUR FEIN

Plaintiff,

v.

CHIRHOCLIN, INC.

Defendant.

Case No. 15-cv-03709-PX

* * * * *

STIPULATION OF AND [PROPOSED] ORDER OF DISMISSAL

WHEREAS, Plaintiff Seymour Fein (“Fein”) filed the above-captioned action against Defendant ChiRhoClin, Inc. (“ChiRhoClin”) on December 13, 2015;

WHEREAS, ChiRhoClin filed a counterclaim against Fein on January 26, 2016; and

WHEREAS, pursuant to a Settlement Agreement and Mutual General Release and a Payment Agreement (collectively, the “Settlement Documents”), the parties have resolved all claims asserted between them and no longer intend to pursue this action.

WHEREAS, a true and correct copy of the Settlement Documents is attached hereto as Sealed Exhibit A.

NOW THEREFORE, the undersigned parties hereby agree and stipulate, subject to the approval of the Court, to the dismissal of the above-captioned action WITH PREJUDICE. Each party shall bear their own fees and expenses; and

The undersigned parties hereby further agree and stipulate, subject to the approval of the Court, consistent with applicable authority, namely, *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375 (1994), that this Court shall retain continuing jurisdiction to

resolve any controversy or claim arising out of or relating to the terms and conditions of the Settlement Documents, any party's performance or failure to perform thereunder, or any other claim or dispute arising out of or resulting from the Settlement Documents or relating to the propriety of the conduct of the parties with respect to the Settlement Documents.

/s/ Gretchen L. Jankowski

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Attorneys for Defendant

SO ORDERED this _____ day of _____, 2017.

Judge Paula Xinis